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November 22, 2022

Via ECF

Hon. Leda Dunn Wettre, U.S.M.J.
United States District Court
District of New Jersey
Martin Luther King Building and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Re: ADP, Inc. v. Ernest Ahumada
Case No. 2:22-cv-445-BRM-LDW

Dear Judge Wettre:

This firm represents ADP, Inc. (“ADP”), the Plaintiff in this matter. This letter is jointly submitted with Defendant’s counsel, the Weiner Law Group, LLP, who is copied below.

Pursuant to the Court’s September 26, 2022 Amended Scheduling Order (ECF No. 30), the parties are currently scheduled to appear for a telephonic status conference on December 1, 2022 at 3:30 p.m. Pursuant to that Order, the parties state as follows for their joint status letter.

Since the previous joint status letter to the Court dated July 21, 2022 (ECF No. 28), the parties have each served and responded to their respective discovery requests. ADP took Defendant’s deposition on September 14, 2022. The parties also participated in a settlement conference with Your Honor on September 23, 2022. At this time, there are no pending discovery disputes.

The following discovery matters are ongoing:

- Defendant served a subpoena on ADP’s employee, Christopher Young. Mr. Young’s deposition is scheduled for December 5, 2022. Mr. Young will provide his written responses and objections to the subpoena on or before December 2, 2022.
- Defendant served a Rule 30(b)(6) deposition notice to ADP. ADP is in the process of preparing its response and objections to the deposition notice and determining the appropriate corporate representative(s) to provide testimony.
- ADP served a subpoena for documents to third-party ProService Hawaii (“ProService”), Defendant’s current employer (ProService is represented by counsel for Defendant). To date, ProService has provided its objections to the subpoena. Counsel for ADP and

counsel for Defendant/ProService are working cooperatively regarding ProService's substantive document production in response to the subpoena.

Last, the parties believe they need additional time to complete the last two discovery matters described above. In turn, the parties request that this Court extend the fact discovery deadline to January 27, 2023.

With the above update, the parties will come prepared to discuss both the status of discovery and the overall case at this point in the litigation process on December 1, 2022 at 3:30 p.m.

Thank you for the Court's attention to this matter.

Very truly yours,



James J. Boutrous II

cc: Jay R. McDaniel, Esq. (Counsel for Defendant)
Michael Mietlicki, Esq. (Counsel for Defendant)
Harris S. Freier, Esq. (Co-Counsel for Plaintiff)

JJB/pn